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Attorneys for Defendant

GOOGLE LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, et al. individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

GOOGLE LLC, *et al.*,

Defendant.

Case No. 3:20-CV-04688 RS

**DECLARATION OF HARRIS MATEEN  
IN SUPPORT OF GOOGLE'S MOTION  
FOR CLARIFICATION OF CLASS  
DEFINITION**

Judge:

Courtroom:

Action Filed:

Hon. Richard Seeborg

3, 17<sup>th</sup> Floor

July 14, 2020

1 I, HARRIS MATEEN, declare that:


2 1. I am an attorney licensed to practice law in the State of California and am an  
3 associate with the law firm of Willkie Farr & Gallagher LLP, located at 333 Bush Street, 34<sup>th</sup> Floor  
4 San Francisco, California 94109, counsel for Defendant Google LLC (“Google”) in the above-  
5 captioned action. Unless otherwise stated, the facts I set forth in this declaration are based on my  
6 personal knowledge or knowledge I obtained through my review of corporate records or other  
7 investigation. If called to testify as a witness, I could and would testify competently to such facts  
8 under oath.  
9

10 2. I submit this declaration in support of Defendant Google LLC’s Motion for  
11 Clarification of Class Definition filed herewith.  
12

13 3. Attached hereto as **Exhibit A** is a true and correct copy of an excerpt from the  
14 transcript of the deposition of John Black taken in this litigation on July 14, 2023.

15 I declare under penalty of perjury under the laws of the United States that the foregoing is  
16 true and correct.  
17

18  
19 Dated: March 15, 2024

  
\_\_\_\_\_  
Harris Mateen

# EXHIBIT A

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

--oOo--

ANIBAL RODRIGUEZ, et al.,  
individually and on behalf of  
all other similarly situated,  
Plaintiffs,

vs.

Case No.

3:20-CV-04688

GOOGLE LLC, et al.,  
Defendants.

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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEO-RECORDED DEPOSITION OF JOHN R. BLACK, Ph.D.  
SAN FRANCISCO, CALIFORNIA  
FRIDAY, JULY 14, 2023

Reported by:

Anrae Wimberley, CSR No. 7778

Job No. 5996166

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1 Q. Yeah, sorry. Okay. I'm about to refer to 05:09:46  
2 Hochman's report.  
3 A. I'm there.  
4 Q. Okay. If you look at your sentence there  
5 on paragraph 66 starting with -- after "dasher." 05:09:58  
6 You see that?  
7 A. I see "dasher" in quotes.  
8 Q. You say, "Plaintiffs' claims and  
9 Mr. Hochman's opinions are limited to end users of  
10 mobile apps on Android or iOS with Google accounts 05:10:14  
11 who are not under thirteen years of age and whose  
12 accounts were set up by that user as a standard  
13 consumer account, which Mr. Hochman also refers to  
14 as 'consumer accounts.'"  
15 And then you have a citation to 05:10:35  
16 footnote 76. I have looked at that citation  
17 referring to Dr. Hochman's report -- or, sorry,  
18 Mr. Hochman's report. I don't see where actually it  
19 says that in paragraph 39 of his report.  
20 Can you point me to that? 05:10:53  
21 MR. MAO: By the way, I have the wrong exhibit  
22 in Exhibit Share for Exhibit 5.  
23 MR. SANTACANA: Are you -- sorry, are you  
24 trying to include --  
25 MR. MAO: No, I'm just -- 05:11:37

1 MR. SANTACANA: -- children and enterprise in 05:11:37  
2 that class?  
3 MR. MAO: No. I'm saying that there's no such  
4 exclusion on your citation paragraph 39.  
5 MR. SANTACANA: Okay. I'm just asking if you 05:11:50  
6 disagree or if this is just a question about a typo.  
7 MR. MAO: I guess I would like to know where  
8 that appears in. I don't recall agreeing to that.  
9 MR. SANTACANA: Hochman counts up class members  
10 by excluding them at the end of his report. 347. 05:12:08  
11 MR. MAO: Okay, we can -- it's not paragraph 39  
12 of his report? I mean --  
13 MR. SANTACANA: 39 talks about it too. If  
14 you're asking about class certification, 347, 348,  
15 he's counting class members and he doesn't count 05:12:41  
16 children or enterprise or deleted accounts.  
17 MR. MAO: Okay, I will definitely take a look  
18 at your citations. I don't know why they would be  
19 different. But we may have a disagreement on that.  
20 MR. SANTACANA: I mean, if you want to try and 05:13:13  
21 certify kids, I would be all for that. Kids have  
22 parents. Workers have bosses.  
23 MR. MAO: Yeah, but off is off.  
24 MR. SANTACANA: If you say so, go for it.  
25 MR. MAO: Okay. 05:13:34

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1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing transcript is  
11 a true record of the testimony given.

12 Further, that if the foregoing pertains to  
13 the original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript (X) was ( ) was not requested.

16 I further certify that I am neither  
17 financially interested in the action nor a relative  
18 or employee of any attorney of any party to this  
19 action.

20 IN WITNESS WHEREOF, I have this date  
21 subscribed my name.

22 Dated: July 17, 2023.

23   
24

25 ANRAE WIMBERLEY, CSR No. 7778